

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHER DIVISION  
No. 7:16-CV-329-D

TERESA COLE ROGERS,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

**ORDER**

On October 3, 2016, Magistrate Judge Swank issued a Memorandum and Recommendation (“M&R”) [D.E. 8]. In the M&R, Judge Swank recommended that plaintiff’s application to proceed *informa pauperis* [D.E. 4] be denied. No objections were filed.

“The Federal Magistrates Act requires a district court to make a *de novo* determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration, emphasis, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the M&R. Plaintiff’s Application to Proceed without Prepayment of Fees is hereby DENIED. Plaintiff may tender to the clerk the filing fee of \$400.00 no later than November 7, 2016. If the plaintiff fails to pay the filing fee in the allotted time, the clerk shall close the matter without further order from the court.

SO ORDERED. This 24 day of October 2016.

  
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JAMES C. DEVER III  
Chief United States District Judge